

# 9

**PETITION TO ACCEPT DELAYED PAYMENT OF ISSUE FEE -  
FAILURE TO PAY UNINTENTIONAL (37 CFR 1.155(C) AND 1.316(C))**

Docket No.  
292

In Re Application Of: Carl Gaebe, et al.

Serial No.  
09/494,063

Filing Date  
01/28/00

Examiner  
Knauss, S.

Group Art Unit  
2874

Invention: TEMPERATURE-COMPENSATED GRATING PACKAGE AND METHOD OF MAKING THE SAME



Address to:  
Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

1. This is a petition to accept delayed payment of issue fee - failure to pay unintentional (37 CFR 1.155(c) and 1.316(c)), which issue fee was due to be paid on 01/10/02.  
(Date)
2. This petition is filed (check (a) or (b)):
  - (a) ☒ within one year of the issue fee due date.
  - (b) ☐ within three months of the date of the first decision in a petition to accept late payment of the issue fee because of unavoidable delay under 37 CFR 1.316(b).  
(check appropriate box below, if applicable)
    - ☐ the three month period has been extended to \_\_\_\_\_  
(Date)
    - ☐ enclosed is a petition and fee for extension of the three month period to \_\_\_\_\_  
(Date)
3. The delay in payment of the issue fee was unintentional.
4. Payment of the issue fee: ☐ has been made. ☒ is enclosed.
5. Type of patent: ☒ utility. ☐ design.
6. Status of applicant(s): ☐ small entity. ☒ large entity.
  - ☐ small entity declaration enclosed.
  - ☐ small entity declaration previously filed.

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MAY 28 2002  
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7. Calculation of fee:

Base issue fee:	\$1,280.00
Petition fee:	\$1,280.00
Total issue and petition fee to be paid:	\$2,560.00

05/23/2002 AWONDAF1 00000122 09494063

01 FC:141  
Adjustment date: 05/31/2002 AKELLEY  
05/23/2002 AWONDAF1 00000122 09494063  
01 FC:141 -1280.00 OP

Rep. In. Ref: 05/31/2002 AKELLEY 0012445200  
Name/Number: 09494063  
FC: 704

**PETITION TO ACCEPT DELAYED PAYMENT OF ISSUE FEE -  
FAILURE TO PAY UNINTENTIONAL (37 CFR 1.155(C) AND 1.316(C))**

Docket No.

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8. Payment of fee:

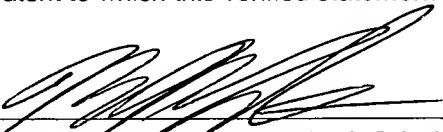
A check in the amount of **\$2,560.00** is enclosed.

The Commissioner is hereby authorized to charge Deposit Account No.  
in the amount of A duplicate of this petition is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required  
or credit any overpayment to Deposit Account No. 50-0308

9. Verification (check box below if statement that the delayed payment of fee was unintentional is made by a person not registered to practice before the United States Patent and Trademark Office.)

- ☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
(Signature of Person Making Statement that the Delay in Payment of the  
Issue Fee was Unintentional)

Dated: MAY 22, 2002

(Printed Name and Address of Person Making Statement)

**MICHAEL R. CAMMARATA  
REG. NO. 39,491  
CIENA CORPORATION  
LEGAL DEPARTMENT  
1201 WINTERSON ROAD  
LINTHICUM, MARYLAND 21090**

  
(Signature of Attorney/Agent)

Dated: 5/22/02

(Printed Name, Registration Number and Address of Attorney/Agent)

**MICHAEL R. CAMMARATA  
REG. NO. 39,491  
CIENA CORPORATION  
LEGAL DEPARTMENT  
1201 WINTERSON ROAD  
LINTHICUM, MARYLAND 21090**

I certify that this document and fee is being deposited  
on with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence